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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001209

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP
NSC FOR J. BADER

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SUBJECT: OPPOSITION--GOING THROUGH THE MOTIONS--FILES
ELECTORAL COMPLAINTS

REF: JAKARTA 1198 AND PREVIOUS

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

11. (C) SUMMARY: Losing candidate Megawati Sukarnoputri is pressing forward with charges that Indonesia's recent presidential election was unfair. She has stopped short of calling for a re-vote, but has filed various complaints with the Election Oversight Commission. In making the charges, the opposition seems to be going through the motions--observers have already characterized the election as free and fair and the Oversight Commission has already thrown out one of Megawati's charges. In the meantime, Vice President Kalla--the other losing candidate--has already conceded to President Yudhoyono. END SUMMARY.

FILING COMPLAINTS

12. (C) After losing the July 8 race in decisive fashion, former president Megawati has decided to formally complain about the election. Megawati and her team filed several complaints with the Election Oversight Commission--which goes by the acronym "Bawaslu"--earlier this week. The first complaint asserted that President Yudhoyono illegally campaigned during the "quiet period" the day before the elections, July 7, by addressing a teleconference of Indonesia's governors. During the conference, President Yudhoyono reportedly asked the governors to help regional polling bodies ensure "a successful and peaceful" presidential election. Megawati's team claimed that this was a "clear" misuse of state power and that the President was "putting pressure on the governors for favorable poll day treatment."

13. (C) Megawati and her camp have also asserted that the Election Commission (KPU) broke the law by accepting foreign help with its tabulation system. This complaint is focused on a USAID-funded International Foundation for Elections (IFES) protest which provided hardware for the pilot phone text tabulation system the KPU used for purposes of the "quick count" that provided preliminary information on the election result. Megawati's camp has charged that IFES assistance showed "a hidden foreign agenda" of "a kind of constitutional coup." Her camp has also complained about alleged violations at various polling stations and what it sees as a national voter registration list which is "riddled with errors." The KPU and IFES have rejected the charges.

14. (C) Prabowo Subianto, Megawati's running mate, has also joined in the criticism. While considered erratic and prone to wild charges, Prabowo is relatively articulate and he has gained media play with some of his claims about the election which include the assertion that it was "criminally fraudulent." True to form, he has not proffered any evidence

to back up these claims.

COMMISSION HOLDS SESSION: DISMISSES ONE OF THE CLAIMS

15. (C) Megawati's camp has presented its case--and already seen one charge dismissed. The Bawaslu, the Election Oversight Commission, held a preliminary session on July 15 to review the whole matter at which Megawati's camp reviewed its case. President Yudhoyono was represented at the meeting by Minister of State Hatta Rajasa, head of his campaign team. Rajasa urged the body to reject the claims summarily. On July 16, the Bawaslu announced that it was dismissing the claim re the President's July 7 briefing.

GOING THROUGH THE MOTIONS

16. (C) Most observers believe that the election was free and fair (if conducted with some administrative problems) and that Megawati is just going through the motions. There has been no sign of any tension over the results among the public. While it is not yet official, the vast majority of Indonesians have already accepted that Yudhoyono was re-elected and won big in the process. Megawati is clearly embarrassed by her second-place showing and--in making the charges--is probably trying to defend her political reputation. She has stopped short of calling for a re-vote in the election. In previous races she has lost, Megawati has also failed to concede and made claims of fraud. In the meantime, Vice President Kalla--the other losing candidate--has already conceded to Yudhoyono.

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